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An Act To Revise Notification Requirements for Pesticide Application

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1471-Z, as amended by PL 2009, c. 584, §2, is repealed.

Sec. 2. 22 MRSA §1471-AA, as enacted by PL 2009, c. 584, §3, is repealed.

Sec. 3. Directive to the Board of Pesticides Control regarding requests for notification of outdoor pesticide applications. The Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, referred to in this section as "the board," shall amend Rule Chapter 28, Section 1 to establish a distance from an aerial application of pesticides within which a person is entitled to receive notification of the application. The rule must allow an owner, lessee or other legal occupant of a sensitive area to make a request for notification and receive notification of aerial applications of pesticides within 1,000 feet of the sensitive area.

For purposes of this section, "sensitive area" has the same meaning as in the board's Rule Chapter 10. Notwithstanding the Maine Revised Statutes, Title 7, section 610, subsection 6, paragraph B, the amendment to Rule Chapter 28 under this section is routine technical rulemaking as defined in Title 5, chapter 375, subchapter 2#A and must be adopted and in effect no later than January 1, 2012.

Effective 90 days following adjournment of the 125th
Legislature, First Regular Session, unless otherwise indicated.